In the High Court of Punjab and Haryana, Chandigarh.

C.W.P.No.321 of 2006

Date of Decision: 1.12.2006

Rajesh Kumar …Petitioner.

Versus

State of Haryana & Another. ...Respondents.

CORAM: HON'BLE MR.JUSTICE M.M.KUMAR
HON'BLE MR.JUSTICE M.M.S.BEDI

Present: Mr.Manish Bhatnagar, Advocate
for the petitioner.

Mr.Harish Rathee, Sr.DAG Haryana

Mr.H.N.Mehtani, Advocate for respondent No.2

JUDGMENT

M.M.KUMAR, J. (ORAL)

Learned counsel for the respondents has place reliance on a Division Bench judgment of this Court in the case of **"Mohinder Singh v. State of Haryana" Amended Civil Writ Petition No.6099 of 2005** decided on 12.10.2006 and has submitted that the action of the respondents in abolishing the posts of H.C.S.(Executive) has been upheld and the allegations of malafide have been repelled. It has been submitted that even if the petitioner is found to be qualified he cannot be given appointment, whereas the posts have been abolished and the action of the State has been upheld.

In view of the above, we dismiss the writ petition in view of the Division Bench judgment dated 12.10.2006 rendered in **"Mohinder Singh v. State of Haryana" Amended Civil Writ Petition No.6099 of 2005.** However, we directed the Registry to refund a sum of Rs.10000/- to the petitioner.

Copy of the order be given dasti on the payment of usual charges.

(M.**M.KUMAR)**
Judge

December 1, 2006 **(M.M.S.BEDI)**
dkb **Judge**